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November 8, 2013

*Filed on ECF
Courtesy Copy by Facsimile*

The Honorable Kimba M. Wood
United States District Court Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Peter Ghavami, et al., 10 Cr. 1217 (KMW)

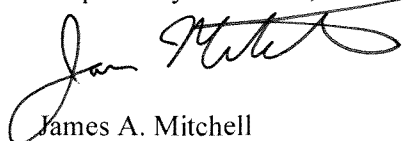
Dear Judge Wood:

We write on behalf of our client Peter Ghavami as directed by Your Honor's October 18, 2013 Order concerning the government's production post-trial of certain documents. Your Honor's Order directed defense counsel to advise the Court by today whether a motion for relief based on those emails can be filed by November 15, 2013.

With respect to our client, as Your Honor will recall, Mr. Ghavami began serving his sentence in early September and does not intend to seek release based on the government's post-trial production of the records. We understand that counsel for at least one of Mr. Ghavami's co-defendants intends to make a motion for a new trial and we will join in any such motion(s) to the extent the relief sought applies to Mr. Ghavami. In the meantime, we will continue our review of the document production and await the government's response to the outstanding requests of defense counsel concerning the email production. If we determine that there is a good faith basis for a motion based on newly discovered evidence beyond that underlying any motion(s) filed by Mr. Ghavami's co-defendants, we will, of course, make such motion in a timely manner under Federal Rules of Criminal Procedure.

Thank you for your attention to this matter.

Respectfully submitted,



James A. Mitchell

Cc: All Counsel of Record (by email)